



13/C
YC
2-603

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Antonio LOPEZ-CABRERA, et al.

Serial No: 09/660,022

Group No.: 1615

Filed: September 12, 2000

Examiner: Ware, T.

For: SOLID ORAL PHARMACEUTICAL FORMULATION OF MODIFIED
RELEASE THAT CONTAINS AN ACID LABILE BENZIMIDAZOLE
COMPOUND

Attorney Docket No.: U 012473-1
Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

PATENT
RECEIVED
JAN 03 2003
TECH CENTER 1600/2900
FEB 03 2003
TECH CENTER 1600/2900

Please enter the following amendments and consider the remarks below.

IN THE CLAIMS

Please amend the following claims

21. (Twice Amended) A composition of modified release comprising a mixture of the pellets of claim 25 having the same release profile.

22. (Twice Amended) A composition of modified release comprising a mixture of the pellets of claim 25 having a different release profile.

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date January 29, 2003, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EV011026278US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

IBIS CARRILLO

(type or print name of person mailing paper)

(Signature of person mailing paper)

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.